

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1118 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

JASUBHA HARISINGH VALA THROUGH HIS MOTHER MADHUBA HARISINGH

Versus

STATE OF GUJARAT

Appearance:

THROUGH JAIL for Petitioner (Mr.S.R.Patel, learned Advocate, rendered legal assistance to the petitioner)
Ms.K.N.Valikarimwala, A.P.P. for Respondents

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 11/09/97

ORAL JUDGEMENT

Heard. The Office note indicates that this petition addressed by Madhuba Hari Singh Vaja to the Honourable the Chief Justice of India praying for granting parole to the prisoner being her son for a period of 90 days on the ground that under the circumstances set out in the application he might pray

for review against the decision in Appeal No.371/94. The application has been transmitted to this Court for the same being disposed of in accordance with law. Before that can be done, however, it would be just and proper if the concerned Authority is directed to decide the application in the first instance. Following direction is, therefore, issued :

The concerned Authority of the respondents will treat the application as aforesaid as the application praying for parole before the concerned Authority and will decide the same in accordance with law within a period of 10 days. The decision shall be communicated to the applicant as well as the prisoner immediately and thereafter it will be open to the applicant or the prisoner, as the case may be, to move this Court in case the decision is against the grant of parole as prayed for in this application.

Rule made absolute only in the aforesaid terms.

* * * * *

sas